

Kellner Herlihy Getty & Friedman, LLP

470 Park Avenue South, 7N
New York, New York 10016
Telephone: (212) 889-2121
Facsimile: (212) 684-6224

<p>SECURITIES INVESTOR PROTECTION CORPORATION,</p> <p style="text-align: right;">Plaintiff –Applicant,</p> <p style="text-align: center;">v.</p> <p>BERNARD L. MADOFF INVESTMENT SECURITIES LLC,</p> <p style="text-align: right;">Defendant.</p>	<p>Adv. Pro. No. 08-01789(SMB)</p> <p>SIPA LIQUIDATION</p> <p>(Substantively Consolidated)</p>
<p>In re:</p> <p>BERNARD L. MADOFF,</p> <p style="text-align: right;">Debtor.</p>	
<p>IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,</p> <p style="text-align: right;">Plaintiff</p> <p style="text-align: center;">v.</p> <p>PARSON FINANCE PANAMA S.A.,</p> <p style="text-align: right;">Defendant.</p>	<p>Adv. Pro.No. 11-02542 (SMB)</p>

**PARSON FINANCE PANAMA APPELLEE’S COUNTER-DESIGNATION
OF ITEMS TO BE INCLUDED IN RECORD ON APPEAL**

Appellee Parson Finance Panama S.A. (“Parson”), by and through their undersigned counsel, respectfully submit, pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure and Rule 8009-1 of the Local Bankruptcy Rules for the Southern District of New York, its counter-designation of items to be included in the record on appeal with respect to the appeal by Irving H. Picard (the “Trustee”), of the substantively consolidated estate of

Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act (“SIPA”), and Bernard L. Madoff, individually, in the above-captioned adversary proceeding (the “Adversary Proceeding”) of the Stipulated Final Order Granting Motion to Dismiss Complaint (the “Final Judgment”) before the United States Court of Appeals for the Second Circuit.

**COUNTER-DESIGNATION OF ITEMS
TO BE INCLUDED IN THE RECORD ON APPEAL**

1. All items designated or to be designated by any other appellant, cross-appellant, appellee, or cross-appellee to any of the appeals from the Final Judgment, including without limitation, the items designated in Trustee’s Statement of Issues to be Presented and Designation of Items to be Included in the Record on Appeal (*Secs. Inv. Protection Corp. v. Bernard L. Maddoff Inv. Secs. LLC*, Adv. Pro No. 11-02542 (SMB) ECF No. 78)

2. The April 8, 2016 Letter on behalf of the Subsequent Transferee defendants in Response to Mr. Sheehan’s April 7, 2016 Letter (*Secs. Inv. Protection Corp. v. Bernard L. Maddoff Inv. Secs. LLC*, Adv. Pro No. 08-01789 (SMB), ECF 1307).

RESERVATION OF RIGHTS

Appellee, Parson, expressly reserves the right to supplement the record on appeal or cross-appeal and to adopt the designation of any items designated or counter-designated by any other appellant, cross-appellant, appellee, or cross-appellee to any appeals or cross-appeals from the Final Judgment.

Dated: New York, New York
April 11, 2017

KELLNER HERLIHY GETTY &
FRIEDMAN, LLP

/s/ Eugene F. Getty
Eugene F. Getty
470 Park Avenue South, 7N
New York, New York 10016
Telephone: (212) 889-2821
*Attorneys for Defendant Parson Finance
Panama, S.A.*